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8 May 2004  
by Federal Express

Hon. Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, D.C. 20423-0001

Re: AB 290 (Sub-no. 168X)  
Norfolk and Western -- Exemption --  
between Kokomo and Rochester in  
Howard, et al. Counties, IN

Reply to Petitions for Reconsideration

Dear Mr. Williams:

This is a supplement to the Reply tendered under separate cover on behalf of Indiana Trails Fund, Inc. One of the issues raised by the petitioners is whether there is a connection of the southern segment of the Nickel Plate Trail to the old Wabash mainline in Peru. ITF indicated in its Reply that the cutpoint of the railbanked trail was MP 72.7, and the distance to the mainline was approximately 100 yards of so (roughly MP 72.8). ITF, citing a verified statement by Michael Kuepper, indicated that this short segment was owned either by Norfolk Southern, the City of Peru, or Mr. Bill Bean as successor in interest to Lear Corporation. See Exhibit E to Reply. Mr. Kuepper attached to his verified statement a letter from the Mayor Peru indicating that Peru would cooperate in making land available to ensure connectivity for reactivation. I enclose herewith a faxed letter from Mr. Bill Bean indicating the same for his company. Since the Reply was finalized and sent for copying on Friday at 1 PM, this letter was received too late for incorporation not only into Mr. Kuepper's statement but also into our Reply. However, the letter does corroborate Mr. Kuepper's statement which indicated that Mr. Bean had indicated he would be cooperative, and it also shows that connectivity of the southern segment of the railbanked trail to the national rail system in Peru is assured.

I also enclose herewith the original signature copies of the two letters from the Mayor of Peru (Exhibits G and H to Kuepper Ver. Statement). These were inadvertently omitted from the original Reply, which as already noted has been submitted

under separate cover.

By my signature below, I certify service on 8 May 2004 of the enclosed petition by express delivery (for delivery May 10) upon Nels Ackerson, Sommer Barnard Ackerson, 1666 K Street, N.W., Suite 1010, Washington, D.C. 20006-1217 (counsel for Friend, et al.) and Donald J. Tribbett, Starr Austen et al, 201 South Third Street, Evansport, IN 46947, and by U.S. Mail, postage pre-paid first class upon James R. Paschall, Law Department, Norfolk Southern Corporation, Three Commercial Place, Norfolk, Virginia, 23510-9241.

Very truly,

  
Charles H. Montange  
for Indiana Trails Fund, Inc.

Encls.

cc. Counsel as indicated above (w/encl.)  
Richard Vonnegut, pres. ITF (w/encl.)  
Michael Kuepper, pres. Nickel Plate Trail (w/encl.)



**Hanning & Bean  
Enterprises, Inc.**

P.O. Box 11767 • Fort Wayne, Indiana 46860  
Phone: (260) 417-4544 • Fax: (260) 482-3412

May 7, 2004

Mr. Mike Kuepper, President  
Nickel Plate Trail, Inc.

Re: STB docket AB 290 (Sub-no. 168X)

The railbanked Nickel Plate Trail, Inc. terminates at MP I-72.7, at or near 7<sup>th</sup> Street in Peru. This is shy of the mainline by about several 100 yards. To the extent the relevant right of way has reverted to us as adjoining landowners, Hanning & Bean Enterprises, Inc. will cooperate in allowing reactivation of rail service over this distance by making a 30 foot wide section of the right of way available for that purpose should reactivation of rail service over the adjoining corridor be approved or required by Surface Transportation Board order. We wish thus to assist in ensuring connectivity.

You may provide this to the STB in the above proceeding in connection with the pending petitions for reconsideration.

Bill Bean

*City of Peru Mayor's Office*



*Jim Walker, Mayor*

*35 South Broadway, Peru, Indiana 46970  
Phone 765.472.2400 Fax 765.472.5815*

May 5, 2004

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

RE: Docket No. AB-290 (Sub. No. 168X),  
Norfolk and Western Railway Company-Abandonment Exemption-Between Kokomo  
and Rochester in Howard, Miami and Fulton Counties, IN.

Dear Secretary Williams,

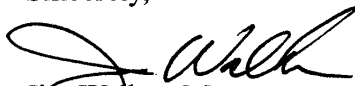
As mayor of Peru, Indiana, we join in opposition to the pending positions for reconsideration.

We underscore the large public support and community interest in conserving this old rail corridor as a rail bank trail.

We feel that this trail would be a great advantage to Peru and to other rural communities along the trail. Not only would this encourage citizens to get out and enjoy the beauty of Indiana, it would also economically benefit the individual communities.

Thank you very much and if you have any additional questions, you may contact me at the above number.

Sincerely,

  
Jim Walker, Mayor  
City of Peru

*City of Peru Mayor's Office*



*Jim Walker, Mayor*

*35 South Broadway, Peru, Indiana 46970  
Phone 765.472.2400 Fax 765.472.5815*

May 6, 2004

Mike Kuepper, President  
Nickel Plate Trail, Inc.

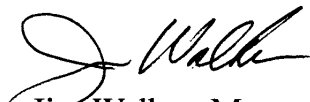
RE: STB docket AB 290 (Sub-no. 168X)

The City of Peru is prepared to consider granting a quitclaim deed to ensure anyone who questions it that rail service can be reactivated on the railbanked rail corridor.

I want to assure you that we support your efforts and will work with the Nickel Plate Trail, Inc. to ensure that reactivation of rail service over the property located along Chestnut is available should reactivation occur and/or be required by Surface Transportation Board order.

Best wishes for your continued success with this project.

Sincerely,

  
Jim Walker, Mayor  
City of Peru